

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN SPENTZ,

Defendant.

Case No. 2:08-cr-00164-KJD-GWF

ORDER

This matter comes before the Court on the Court's February 12, 2013 Order (#298) and Gary Myers' February 22, 2013 Letter (#301), which the Court received on February 26, 2013. The Order (#298) directed Mr. Myers, Defendant Justin Spentz's ("Defendant") trial counsel, to provide Defendant with the file generated in his defense for use in preparing a collateral attack on his conviction. In his Motion to Direct Surrender of Files (#297), Defendant represented that he had requested the file from Mr. Myers on multiple occasions, but received no response. In response to the Order (#298), Mr. Myers sent a Letter (#301) to the Court and to Defendant. Therein, Mr. Myers represents that he has received no communication from Defendant since his trial in January of 2010, and that he did not receive the Court's first Order (#295) directing him to provide the file to Defendant. Mr. Myers further represents that he has begun locating and assembling the file, and will forward it to Defendant. Accordingly,

IT IS HEREBY ORDERED that Trial Counsel Gary Myers shall have until **March 11, 2013** to provide to Defendant Justin Spentz a copy of all documents obtained or generated for Defendant's defense in the underlying matter at Defendant's last known address: F.C.I. Phoenix, 37910 North 45th Avenue, Phoenix, Arizona 85086.

6 Gary Myers
7 7251 West Lake Mead Boulevard, Suite 300
Las Vegas, Nevada 89128

10 DATED this 27th day of February, 2013.

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